

Probate Notes for August 28, 2007

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to continue a matter, contact the civil division at (530) 406-6704. If you wish to have your petition preapproved, contact the probate examiner at (530) 406-6718 between the hours of 2 p.m. and 4 p.m.

Case: Estate of Clement
Case No. CV PB 07-155

It is recommended to grant the petition to administer the estate.

Case: Estate of Nash
Case No. CV PB 07-166

Proof of publication in the Daily Democrat, rather than the Davis Enterprise, is filed. The Daily Democrat is not the newspaper of the city in which the decedent lived, as required by Probate Code § 8121. However, Probate Code § 8122 allows for substantial good faith compliance if the petitioner publishes in the incorrect newspaper and that newspaper is a paper of general circulation in the county in which the decedent resided. Therefore, it is recommended to grant the petition to administer the estate.

Case: In the Matter of the Kelley Revocable Trust
Case No. CV P2 07-143

It is recommended to grant the petition for interpretation of trust and instructing trustee.

Case: Conservatorship of Ornelas
Case No. CV PB 07-102

Petitioners have still not filed:

1. Proof of service of the Citation on the proposed conservatee (Judicial Council form GC-320);
2. The Confidential Supplemental Information form (Judicial Council form GC-312);
3. A new Confidential Conservator Screening Form signed by Patricia Ornelas is needed, because her screening form was signed by Santos Ornelas.